

REMARKS

Applicant submits the within amendment in response to the Official Action mailed December 4, 2002. A petition for a one-month extension of the term for response to said Official Action, to and including April 4, 2003, is transmitted herewith.

Applicant respectfully requests reconsideration and allowance of claims 6-24 that are pending in the instant application. Applicant has amended claims 22 and 24. No new matter has been added by these claim amendments.

Claims 22-24 were objected to because of certain alleged informalities. Specifically, the Examiner has stated that the claims recite dependencies to a method claim, but also to claim 15, an apparatus claim. In response, applicant has amended the claims to correct the dependency to claim 16. As such, applicant submits that at least this objection should be withdrawn.

Claims 6-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Jonsson*, U.S. Patent 5,746,120 in view of *Cherney et al.*, U.S. Patent 5,485,712. The Examiner initially admits that *Jonsson* does not disclose a separate measuring device for the wire, as is specifically required by all of the pending claims. The Examiner asserts, however, that *Cherney* discloses a wrapping machine and method in which a length of wrapper is fed over a continuously operating measuring unit which is connected to a monitor and servomotor. (Official Action at 3.) *Cherney*, however, does not disclose a feed member and a separate measuring means for measuring the length of packaging material. *Cherney* discloses that the web of material W is pulled from the roll R by the measuring rolls 19 and 21. (Col. 5, lns. 6-13, 28-31.) In *Cherney*, the measuring rolls 19 and 21 both measure the amount of material dispensed, dispense the material and deliver the material to the forming tube 13.

Application No.: 09/530,394

Docket No.: SUNDS 3.3-112

In contrast, the claims of the present application require measuring means that are separate from the feed member. The measuring is carried out without the measuring means 5 feeding the wire. (Application at 3, lns. 29-31.) *Jonsson* has not been asserted as teaching anything that would remedy this deficiency in *Cherney* and, accordingly, the two references in combination would not teach all the elements of claims 6-24.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

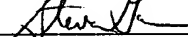
As it is believed that all of the objections and rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: April 4, 2003

Respectfully submitted,

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Version With Markings to Show Changes Made

IN THE CLAIMS

22. (~~New~~AMENDED) The method of claim 616, wherein the wire is fed into a guide bar when the guide bar is in a closed position.

24. (~~New~~AMENDED) The method of claim 616, further comprising, after the step of forming a knot, cutting the wire and drawing the wire back to a predetermined position.